

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**WSOU INVESTMENTS LLC D/B/A
BRAZOS LICENSING AND
DEVELOPMENT,**

Plaintiff,

v.

ZTE CORPORATION,

Defendant.

§ Civil Action No. 6:20-cv-00487-ADA-DTG
§ Civil Action No. 6:20-cv-00488-ADA-DTG
§ Civil Action No. 6:20-cv-00489-ADA-DTG
§ Civil Action No. 6:20-cv-00490-ADA-DTG
§ Civil Action No. 6:20-cv-00491-ADA-DTG
§ Civil Action No. 6:20-cv-00493-ADA-DTG
§ Civil Action No. 6:20-cv-00494-ADA-DTG
§ Civil Action No. 6:20-cv-00495-ADA-DTG
§ Civil Action No. 6:20-cv-00496-ADA-DTG
§ Civil Action No. 6:20-cv-00497-ADA-DTG

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§ **JURY TRIAL DEMANDED**
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JOINT STATUS REPORT

Joint Portion: Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development (“Plaintiff”) and Defendant ZTE Corporation (“Defendant”) hereby submit this Status Report notifying the Court of developments in accordance with the Court’s Order for the above-captioned cases. *See* September 19, 2022, Motion to Stay Hearing Transcript at 29:8-15.

On October 13, 2022, the Patent Trial and Appeal Board (“PTAB”) issued a Final Written Decision Determining All Challenged Claims Unpatentable for U.S. Patent No. 8,179,960. *See* Ex. 1 (IPR2021-00696, Paper 24).

On October 14, 2022, the PTAB issued a Final Written Decision Determining No Claims Unpatentable for U.S. Patent No. 7,203,505. *See* Ex. 2 (IPR2021-00698, Paper 25).

On October 14, 2022, the PTAB issued a Final Written Decision Determining All Challenged Claims Unpatentable for U.S. Patent No. 7,742,534. *See* Ex. 3 (IPR2021-00699, Paper 33).

Plaintiff's Additional Portion: Plaintiff understands that the Court ordered the parties to submit a status report regarding IPRs at the hearing on Defendant's Motion to Stay. *See* September 19, 2022, Motion to Stay Hearing Transcript at 29:8-15 ("And so given that, I think that it weighs in favor of denying the stay and proceeding with the case. And -- but **I will order the parties to file a status notice of those three IPRs, that three being in the Case number 496, 490, and 497, file a status update regarding the IPRs on October 19th** which will gives us the -- let us know whether those cases are proceeding or not. And that may -- depending on the results of those final written decisions, that may eliminate three additional cause numbers.") (emphasis added); *see also* Proposed Order submitted to the Court on September 28, 2022 at ¶ 2 ("The Parties shall submit a status report on October 19, 2022 regarding the Patent Trial and Appeal Board's decisions on pending *Inter Partes* Reviews related to Civil Action No. 6:20-cv-00490-ADA (Patent No. 8,179,960), Civil Action No. 6:20-cv-00496-ADA (Patent No. 7,742,534), and Civil Action No. 6:20-cv-00497-ADA (Patent No. 7,203,505)."). The USPTO has not yet issued any final decisions on any of Defendant's requests for *ex parte* reexamination, which are still pending.

Defendant's Additional Portion: On October 14, 2022, the USPTO issued a Non-Final Office Action Rejecting All Claims for U.S. Patent No. 9,185,036. *See* Ex. 4 (Re-Examination Application No. 90/019,086).

On October 5, 2022, the USPTO issued a Non-Final Office Action Rejecting All Claims for U.S. Patent No. 7,489,929. *See* Ex. 5 (Re-Examination Application No. 90/015,029).

All of the above-captioned cases remain active (i.e., the cases are not stayed and have not been dismissed with prejudice).

An update to Defendant's previously submitted summary chart is provided below. Dkt. Dkt. 244, pp. 3-4.¹

Asserted Patent (Case No.)	Status	Case No./Re-examination Application No.	Update
7,742,534 (-496)	<i>Inter partes</i> review instituted on all claims by the PTAB	IPR2021-00699	October 14, 2022, Final Written Decision determining all claims unpatentable. <i>See</i> Ex. 3.
	Request for <i>ex parte</i> reexamination on all claims filed August 4, 2022	90/019,106	N/A
7,203,505 (-497)	<i>Inter partes</i> review instituted on all claims by the PTAB	IPR2021-00698	October 14, 2022, Final Written Decision determining no claim unpatentable. <i>See</i> Ex. 2.
	Request for <i>ex parte</i> reexamination on all claims filed July 29, 2022	09/941,851	N/A
8,179,960 (-490)	<i>Inter partes</i> review instituted on all claims by the PTAB	IPR2021-00696	October 13, 2022, Final Written Decision determining all claims unpatentable. <i>See</i> Ex. 1.
8,147,071 (-492) ²	<i>Inter partes</i> review instituted on all claims by the PTAB	IPR2021-00695	September 1, 2022, Final Written Decision determining all claims unpatentable. <i>See</i> Dkt. 250, Ex. 32.
7,487,240 (-489)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on June 28, 2022	90/019,083	N/A
8,451,839 (-487)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on June 28, 2022	90/019,078	N/A
8,730,905 (-491)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on July 13, 2022	90/019,077	N/A

¹ Unless otherwise noted, references to "Dkt." are to Case No. 6:20-cv-00487-ADA.

² Plaintiff dismissed with prejudice case no. 6:22-cv-00492 on October 3, 2022.

9,185,036 (-494)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on July 1, 2022	90/019,086	October 14, 2022, Non-Final Office Action rejecting all claims. <i>See</i> Ex. 4.
9,258,232 (-495)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on July 29, 2022	90/019,094	N/A
9,294,060 (-493)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on July 12, 2022	90/015,031	N/A
7,489,929 (-488)	<i>Ex parte</i> reexamination granted on all claims by the USPTO on June 24, 2022	90/015,029	October 5, 2022, Non-Final Office Action rejecting all claims. <i>See</i> Ex. 5.

DATED: October 19, 2022

Respectfully submitted,

/s/ Jonathan K. Waldrop

Jonathan K. Waldrop (CA Bar No. 297903)

(Admitted in this District)

jwaldrop@kasowitz.com

Darcy L. Jones (CA Bar No. 309474)

(Admitted in this District)

djones@kasowitz.com

Marcus A. Barber (CA Bar No. 307361)

(Admitted in this District)

mbarber@kasowitz.com

John W. Downing (CA Bar No. 252850)

(Admitted in this District)

jdowning@kasowitz.com

Heather S. Kim (CA Bar No. 277686)

(Admitted in this District)

hkim@kasowitz.com

ThucMinh Nguyen (CA Bar No. 304382)

(Admitted in this District)

tnguyen@kasowitz.com

Chen Jia (CA Bar No. 281470)

(Admitted in this District)

cjia@kasowitz.com

KASOWITZ BENSON TORRES LLP

333 Twin Dolphin Drive, Suite 200

Redwood Shores, California 94065

Telephone: (650) 453-5170

Facsimile: (650) 453-5171

/s/ Lionel M. Lavenue

Lionel M. Lavenue

Virginia Bar No. 49,005

lionel.lavenue@finnegan.com

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP**

1875 Explorer Street, Suite 800

Reston, VA 20190

Phone: (571) 203-2700

Fax: (202) 408-4400

Attorney for Defendant,

ZTE Corporation

Paul G. Williams (GA Bar No. 764925)
(Admitted in this District)
pwilliams@kasowitz.com
KASOWITZ BENSON TORRES LLP
1230 Peachtree Street N.E., Suite 2445
Atlanta, Georgia 30309
Telephone: (404) 260-6080
Facsimile: (404) 260-6081

Charles A. Naggar (NY Bar No. 5356449)
(Admitted *pro hac vice*)
cnaggar@kasowitz.com
Hershy Stern (NY Bar No. 4631024)
(Admitted *pro hac vice*)
hstern@kasowitz.com
Howard L. Bressler (NY Bar No. 2487379)
(Admitted *pro hac vice*)
hbressler@kasowitz.com
Julianne Laporte (NY Bar No. 5547906)
(Admitted *pro hac vice*)
jlaporte@kasowitz.com
Lea Darteville Erhel (NY Bar No. 5172101)
(Admitted *pro hac vice*)
ldarteville@kasowitz.com
Joshua A. Whitehill (NY Bar No. 4766473)
(Admitted *pro hac vice*)
jwhitehill@kasowitz.com
Noah P. Dorman (DC Bar No. 1779821)
(Admitted *pro hac vice*)
ndorman@kasowitz.com
Jessica C. Sutliff (NY Bar No. 2772150)
(Admitted *pro hac vice*)
jsutliff@kasowitz.com

Ryan A. Madden (NY Bar No. 5706080)
(Admitted *pro hac vice*)
rmadden@kasowitz.com
Shelley Ivan (NY Bar No. 4338067)
(Admitted *pro hac vice*)
sivan@kasowitz.com
KASOWITZ BENSON TORRES LLP
1633 Broadway
New York, NY 10019
Telephone: (212) 506-1700
Facsimile: (212) 506-1800

Mark D. Siegmund (TX Bar No. 24117055)

mark@swclaw.com

Craig D. Cherry (TX Bar No. 24012419)

craig@swclaw.com

Justin W. Allen (TX Bar No. 24081977)

justin@swclaw.com

**STECKLER WAYNE CHERRY & LOVE
PLLC**

8416 Old McGregor Rd.

Waco, Texas 76712

Telephone: (254) 651-3690

Facsimile: (254) 651-3689

Gregory Phillip Love (TX Bar No. 24013060)

greg@swclaw.com

**STECKLER WAYNE CHERRY & LOVE
PLLC**

107 East Main Street

Henderson, TX 75652

Telephone: (903) 212-4444

Facsimile: (903) 392-2267

Attorneys for Plaintiff,

WSOU INVESTMENTS, LLC d/b/a

BRAZOS LICENSING AND

DEVELOPMENT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served or delivered electronically to all counsel of record, on this 19th day of October, 2022, via the Court's CM/ECF system.

/s/ Lionel M. Lavenue

Lionel M. Lavenue